



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: May 12, 2005 Name: Peter Brunovskis, Reg. No. 52,441 Signature: Peter Brunovskis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Faulks et al.

Appln. No.: 09/849,935

Filed: May 4, 2001

For: DISPENSER GASKET AND  
TENSIONER SYSTEM

Attorney Docket No: 659/794 (14676.13)

Examiner: E. Marcelo

Art Unit: 3654

REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT

Mail Stop Patent Ext.  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with Applicant's duty of disclosure in patent term extension proceedings under 37 C.F.R. 1.765, Applicants bring to the attention of the U.S. Patent and Trademark Office a possible error in the patent term adjustment calculated for the above-referenced patent accompanying the Notice of Allowance, mailed 2/14/05. Pursuant to 37 C.F.R. § 1.704(b), the period of adjustment should be reduced by the number of days, if any, beginning on the day after the date (the 3 month date) that is three months after the date of mailing or transmission of an Office communication notifying the applicant of a rejection, objection, etc., and ending on the date a corresponding reply was filed.

In the present application, an office action was mailed on 7/10/01. The 3 month date was therefore 10/10/01. Even though Applicant's response received the benefit of filing on 10/10/01 for avoiding payment of late extension fees, the response was deemed to have been filed on 10/15/01, thereby incurring a 5 day patent term reduction according to 37 C.F.R. § 1.704(b). Presently, this 5 day patent term reduction does not appear to have been included in the calculation of the 133 day extension accompanying the Notice of Allowance, mailed 2/14/05.

Respectfully submitted,

  
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